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0575/54202/JPM JMLIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Stern et al.  
Serial No. : 08/997,464 Examiner: J. Kerr  
Filing Date : December 23, 1997 Art Unit: 1633  
For : A METHOD FOR EVALUATING THE ABILITY OF A  
COMPOUND TO INHIBIT NEUROTOXICITY

1185 Avenue of the Americas  
New York, New York 10036  
April 4, 2001

Honorable Commissioner of Patents and  
Trademarks  
Washington, D.C. 20231

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Sir:

**NOTICE OF APPEAL FROM THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Final Office Action issued by the U.S. Patent and Trademark Office dated October 4, 2000 finally rejecting claims 1-5, 11, 12, 34-37 of the above-identified application.

A response to the October 4, 2000 Final Office Action is due April 4, 2001 with a three-month extension of time. Applicants are filing concurrently with this Notice of Appeal an Amendment in Reply to October 4, 2000 Final Office Action Pursuant to 37 C.F.R. §1.116 and Petition for a Three-Month Extension of Time, today, April 4, 2001. Accordingly, the subject application is pending today.

The required fee for filing this Notice of Appeal under 37 C.F.R. §1.17(e) is ONE HUNDRED FIFTY-FIVE DOLLARS (\$155.00) for a small

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entity. A check including this amount is enclosed. Applicants have previously established small entity status.

No fee, other than the \$155.00 Notice of Appeal filing fee, is deemed necessary in connection with the filing of this Notice of Appeal. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

*Jane M. Love*

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Honorable Commissioner for Patents,  
Washington, D.C. 20231.

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